

Message Text

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ACTION EB-08

INFO OCT-01 EUR-12 ISO-00 SSO-00 SCA-01 L-03 CAB-02

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-----131803Z 057626 /46

O 131712Z APR 77

FM AMEMBASSY ROME

TO SECSTATE WASHDC IMMEDIATE 3969

LIMITED OFFICIAL USE ROME 6066

E.O. 11652: N/A

TAGS: EAIR, IT

SUBJECT: CIVAIR: TRAVITALIA CHARTER FLIGHT

REF: STATE 81840

1. EMBOFF DISCUSSED TRAVITALIA DESIRE TO OBTAIN WAIVER FOR ITS APRIL 6 FLIGHT WITH CIVILAVIA AND PAN AM WHO APPEAR TO HAVE ARRIVED AT AN AGREEMENT TO EXTEND STAY TO FOURTEEN DAYS. PAN AM NOW HAS AUTHORIZATION TO DEPART AT 1600 ON APRIL 19 AND IS SEEKING APPROVAL FOR DEPARTURE AT 0005 ON APRIL 19. PAN AM OFFICIAL BELIEVES CIVILAVIA WILL AGREE TO THAT DEPARTURE TIME.

2. TRAVITALIA, AS FAR AS EMBASSY AWARE, HAS NO BASIS FOR REQUESTING WAIVER, AS 14 DAY MINIMUM STAY REQUIREMENT WAS PRECISELY THE SAME UNDER PREVIOUS ITALIAN CHARTER REGULATIONS IN EFFECT WHEN TRAVITALIA CONTRACTED WITH PNA AM AS UNDER CURRENT REGULATIONS. THERE WAS NO GENERAL EXPECTATION THAT MINISTRY OF TRANSPORT WOULD REDUCE MINIMUM STAY REQUIREMENT WHEN CURRENT REGULATIONS WERE UNDER CONSIDERATION.

3. ACCORDING TO PAN AM, CIVILAVIA HAS CONSISTENTLY REJECTED TRAVITALIA'S EFFORTS TO OBTAIN WAIVER SINCE MATTER WAS FIRST RAISED IN FEBRUARY. ON TRAVITALIA'S BEHALF, PAN AM OFFICIALS

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HAVE TRIED TO RAISE MATTER AS FAR AS MINISTER OF TRANSPORT WITHOUT SUCCESS. CIVILAVIA OFFICIALS HAVE POINTED OUT THAT IF THEY MAKE AN EXCEPTION IN THIS CASE THEY WILL BE BESIEGED WITH FURTHER REQUESTS FOR WAIVERS WHICH WILL MAKE A SHAMBLES OF THEIR REGULATIONS. TRAVITALIA AND PAN AM DECIDED TO OPERATE FLIGHT WITH SHORT STAY DESPITE REPEATED REJECTIONS OF WAIVER REQUESTS. THUS, TRAVITALIA AND PAN AM CONSCIOUSLY TOOK RISK

OF PUTTING PASSENGERS IN POSITION OF HAVING TO STAY IN ITALY
LONGER THAN PLANNED.

4. ACCORDING TO PAN AM OFFICIAL, DIRECTOR GENERAL OF AIR
TRANSPORT SERVICES SITAJOLO STATED THAT HE IS UNDER TREMENDOUS
PRESSURE FROM ALITALIA TO CHANGE HIS POSITION AGAINST TAKING
UNILATERAL ACTION TO RESTRICT U.S.FIFTH FREEDOM RIGHTS AS
LONG AS BILATERAL AIR AGREEMENT IN EFFECT. HE INDICATED THAT
HE IS NOT IN A POSITION TO GRANT WAIVERS WITHOUT VERY STRONG
BASIS FOR DOING SO.

5. PAN AM RECORDS INDICATED TRAVITALIA HAS ANOTHER FLIGHT ON
IN ITS 29 FLIGHT PROGRAM WITH PAN AM THAT IS PLANNED FOR
LESS THAN THE 14 DAY MINIMUM STAY REQUIRED UNDER ITALIAN
REGULATIONS. EMBASSY RECOMMENDS THAT TRAVITALIA AND OTHER
TOUR OPERATORS BE ADVISED TO ADJUST NOW ANY CHARTERS THAT DO
NOT MEET MINIMUM STAY REQUIREMENT RATHER THAN BRING PASSENGERS
INTO ITALY PRESUMABLY WITHOUT ADVISING THEM THAT SHORT STAY HAS
NOT BEEN ACCEPTED. EMBASSY BELIEVES THAT CONTINUED PRESSURE
FROM U.S. CHARTER AND TOUR OPERATORS FOR UNJUSTIFIED WAIVERS
COULD WELL RESULT IN DETERIOURATION OF U.S.-ITALIAN CIVIL AIR
RELATIONS AND U.S. BENEFITS UNDER BILATERAL AIR AGREEMENT.
GARDNER

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Message Attributes

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